



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

May 17, 2022

**BY ECF**

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150

**Re: Todd v Colombos, SDNY 21 Civ. 5226 (CS)**

Dear Judge Seibel:

This Office represents Correction Officer A. Colombos in the above-referenced matter and writes in response to Plaintiff Lavelle Todd's motions for an extension of time filed on April 14, 2022 and May 6, 2022, in which he claims his legal work and other property were confiscated. Our Office investigated Plaintiff's claim and corresponded with DOCCS officials on April 28, April 29, May 9, and May 12, 2022. Specifically, the undersigned corresponded with Captain Arthur Gravlin and Sergeant Darren Basford of Upstate Correctional Facility. The results of that investigation are as follows.

During the first week of April 2022, Plaintiff had several appointments during which his property was left in his cell while he was escorted to the Office of Mental Health ("OMH"). While DOCCS officials have informed this Office that during those visits Plaintiff did not have access to the property left in his cell, they also informed us that those visits away from his cell each lasted no longer than twenty-four hours.

On April 8, 2022, Plaintiff was then transferred from cell block 8 to cell block 10, as part of a larger facility transfer of inmates to residential rehabilitation units ("RRU"). On April 12, 2022, Plaintiff filed a complaint about missing property. At all times relevant, DOCCS has denied destroying or confiscating Plaintiff's property, nor is Plaintiff's property currently in the possession of DOCCS officials. Plaintiff's allegation that he was assaulted on April 7, 2022 could not be verified, nor does there appear at this time to have been a use of force report filed by DOCCS officials on or around this date. Plaintiff may pursue a grievance with respect to his complaints. Notwithstanding the above, this Office has no objection to Plaintiff's request for an extension of time to file his amended complaint and will promptly mail to Plaintiff a courtesy copy of any pleadings this Court orders it to mail.

Thank you for your attention on this matter.

Respectfully submitted,  
/s/ Andrew Blancato  
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